

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JEFFREY M. MULLER; <i>et al.</i> ,	:	
Plaintiffs,	:	No. 2:10-CV-6110 (WHW) (CCC)
v.	:	
THE HON. PHILIP J. MAENZA, <i>et al.</i> ,	:	DECLARATION OF
Defendants.	:	<u>JOHN DRAKE</u>
	:	

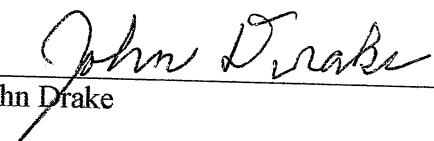
I, John Drake, declare as follows:

1. I run a business called Overcoat LLC that operates and services automated teller machines (“ATMs”). I routinely carry large quantities of cash in the course of operating this business.
2. I am concerned that someone will injure or kill me in order to take money I am carrying, or to gain access to machines I am working on, or to obtain bank account information.
3. I would carry an operable handgun in public for self-defense, but I refrain from doing so because I fear arrest, prosecution, fine, and imprisonment because I do not hold a Permit to Carry issued pursuant to N.J.S.A. § 2C:58-4.
4. I applied for a Permit to Carry a handgun pursuant to N.J.S.A. § 2C:58-4 from the New Jersey State Police on approximately March 17, 2010. A copy of my application is attached as Exhibit 1.
5. Defendant Col. Fuentes of the New Jersey State Police denied my application on July 1, 2010. A copy of the denial letter is attached as Exhibit 2.

6. I met all of the requirements for issuance of a Permit to Carry, except I was found to lack "justifiable need to carry a handgun."

I affirm all of the foregoing statements under penalty of perjury under the laws of the United States of America.

Dated: December 19 2010


John Drake